



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,599	01/27/2004	Raymond Elijah Barnett	TI-36778 / DDM03-034	1700
23494	7590	07/26/2005	EXAMINER	
TEXAS INSTRUMENTS INCORPORATED P O BOX 655474, M/S 3999 DALLAS, TX 75265			NGUYEN, LONG T	
			ART UNIT	PAPER NUMBER
			2816	

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/765,599	Applicant(s) BARNETT ET AL.	
	Examiner Long Nguyen	Art Unit 2816	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2005.
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-7,9-12 and 14 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☒ Claim(s) 1 and 2 is/are allowed.
 6) ☒ Claim(s) 5-7,9 and 10 is/are rejected.
 7) ☒ Claim(s) 4,11,12 and 14 is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☒ The drawing(s) filed on 27 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Responses to Amendment

1. This office action is responsive to the amendment filed on June 8, 2005.

Claim Objections

2. Claims 5, 11, 12 and 14 are objected to because of the following informalities:

Claim 5, line 7, "segment comprising" should be changed to --segments comprising--.

Claims 6, 7, 9 and 10 are objected to because they include the informality of claim 5.

Claim 11, on last 2 lines of the claim, it is suggested that "wherein said two semiconductor circuit elements are a metal-oxide transistor and a bipolar transistor" be changed to --wherein one of the two semiconductor circuit elements is a metal-oxide transistor and the other one of the two semiconductor circuit elements is a bipolar transistor-- so that the claim is clear.

Claims 12 and 14 are objected because they include the informality of claim 11.

Also, in claim 14, line 1, "14." should be deleted.

Appropriate correction is requested.

3. Claims 4, 7, 9, 10 and 14 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claim 4 is not further limit the subject matter of claim 2. Note that the limitations recited in claim 4 are already recited in claim 1 (see last 2 lines of claim 1). It is suggested that claim 4 be canceled.

Art Unit: 2816

Claim 7, 9 and 10 are not further limit the subject matter of claims 5, 9 and 10, respectively. Note, the limitations recited in claims 7, 9 and 10 are recited in claim 5 (see last 2 lines of claim 5). It is suggested that claims 7, 9 and 10 be canceled.

Claim 14 is not further limit the subject matter of claim 12. Note that the limitations recited in claim 14 are already recited in claim 11 (see last 2 lines of claim 11). It is suggested that claim 14 be canceled.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 5-7, 9 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claim 5, the recitation "wherein said two circuit elements are a metal-oxide transistor and a bipolar transistor" on the last two lines of the claim is indefinite because "said two circuit elements" lacks antecedent basis and it is not clear whether "said two circuit elements" refer to the plurality of circuit elements. To overcome this problem, it is suggested that "wherein said two circuit elements are a metal-oxide transistor and a bipolar transistor" on the last two lines of claim 5 be changed to --wherein said plurality of circuit elements is two circuit elements, wherein one of the two circuit elements is a metal-oxide transistor and the other one of the two circuit elements is a bipolar transistor--.

Claims 6, 7, 9 and 10 are indefinite because they include the indefiniteness of claim 5.

Claim Rejections - 35 USC § 112

6. Claims 1, 2, 11, and 12 would be allowed if amend to overcome the informalities set forth above (for claims 11 and 12).

Claim 1 would be allowed because applicant argument is found persuasive that the prior art of record fails to disclose or suggest, in combination with other limitations, the first transistor is a metal-oxide transistor device and the second transistor device is a bipolar transistor device.

Claim 2 would be allowed because it depends on claim 1.

Claim 11 would be allowed because applicant argument is found persuasive that the prior art of record fails to disclose or suggest, in combination with other limitations, one of the two circuit elements is a metal-oxide transistor device and the other circuit elements is a bipolar transistor device.

Claim 12 would be allowed because it depends on claim 11.

7. Claims 5 and 6 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Claim 5 would be allowed because applicant argument is found persuasive that the prior art of record fails to disclose or suggest, in combination with other limitations, one of the two circuit elements is a metal-oxide transistor device and the other circuit elements is a bipolar transistor device.

Claim 6 would be allowed because it depends on claim 5.

Conclusion

8. Note, because claims 4, 7, 9, 10 and 14 fails to further limit the previous claim, so it is not appropriate to indicate these claims to be allowable at this time.

Art Unit: 2816

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directly to Examiner Long Nguyen whose telephone number is (571) 272-1753. The Examiner can normally be reached on Monday to Thursday from 8:00am to 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan, can be reached at (571) 272-1740. The fax number for this group is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

Application/Control Number: 10/765,599

Page 6

Art Unit: 2816

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

June 25, 2005

A handwritten signature in black ink, appearing to read 'Long Nguyen', with a long horizontal stroke extending to the right.

LONG NGUYEN
PRIMARY EXAMINER